

APR 21 2008

RICHARD W. WIERING
CLERK, U.S. DISTRICT COURT**COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C §§ 1983**

Name Woodard Marvin
 (Last) (First) (Initial)

Prisoner Number BOP 98908-011 Cornells Corrections # 418Institutional Address 111 Taylor Street S.F. CA 94103UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Marvin Woodard
 (Enter the full name of plaintiff in this action.)

vs.

Cornells Corrections
Maria Richard

(Enter the full name of the defendant(s) in this action)

CV

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2067

Case No. _____
(To be provided by the Clerk of Court)COMPLAINT UNDER THE
CIVIL RIGHTS ACT,
Title 42 U.S.C § 1983

SI

(PR)

[All questions on this complaint form must be answered in order for your action to proceed..]

I. Exhaustion of Administrative Remedies.

[Note: You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]

A. Place of present confinement Cornells Corrections

B. Is there a grievance procedure in this institution?

YES (✓) NO ()

C. Did you present the facts in your complaint for review through the grievance procedure?

YES (✓) NO ()

D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue a certain level of appeal, explain why.

COMPLAINT

- 1 -

04-21-08 SF

1. Informal appeal I did the resident
Grievance the only level applicable
against Cornell's Correction

2. First formal level I exhausted my administrative
remedies.

3. Second formal level _____

4. Third formal level _____

E. Is the last level to which you appealed the highest level of appeal available to you?

YES (☒) NO ()

F. If you did not present your claim for review through the grievance procedure, explain why. _____

II. Parties.

A. Write your name and your present address. Do the same for additional plaintiffs, if any.

My name is Marvin Woodard and I am currently
housed at Cornell's Correction located at 111 Taylor
Street San Francisco California

B. Write the full name of each defendant, his or her official position, and his or her place of employment.

The defendant is Maria Richard She is employed
by Cornell's Correction as the Director of the
institution where I am confined.
111 Taylor Street
San Francisco Ca 94102

COMPLAINT

III. Statement of Claim.

State here as briefly as possible the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

On the 16th I received of April 2008 at about 6:48 PM I was called to receive a corresponding mail from the Ninth Circuit Court. When it was time for me to receive my mail I notice that on the front page of envelope it stated that the mail be open only in the present of the inmate. When I was about to receive my mail I notice that the mail was already open. I asked for the mail to be return back to sender, and told Maria Richard that I was making a civil complaint for Violation of my First Amendment and Fourth Amendment to free from unreasonable Search and Seizure.

IV. Relief.

Your complaint cannot go forward unless you request specific relief. State briefly exactly what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

I am requesting punitive damages in the Amount of 5,000 dollar. I am requesting that in the future if ^{Cornells} Court want to expect mail they must get the inmate to sign a consent, and to follow the court are Attorney request to open mail in the inmate present

COMPLAINT

1 I last request that the court order that I
2 be not retaliated against.
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4

5 I declare under penalty of perjury that the foregoing is true and correct.
6

7 Signed this 16th day of April, 2008
8

9 Marnon Woodward
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(Plaintiff's signature)
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Please give
to
Mr. Woodward
thy

RESIDENT GRIEVANCE

NAME: Marvin Woodward

REG#: 418

RESIDENT REQUEST:

On April 16th 2008 at about 6:48 PM I was stop to receive a corresponding mail from the Ninth Circuit Court of Appeal, On the front page of envelope it was marked Confidential Open only in the Present of the inmates When I was about to receive my mail I notice that the mail was already Open, And I requested that the mail be return back to sender I believe my First and Fourth Amendments has been violated by Cornell's Corrections and I am seeking that Criminal Charges be filed against Cornell's ~~Corrections~~ Corrections I am also seeking Civil punitive damages in the Amount of 5,000 dollars I am Also requesting that I be not retaliated against. A Copy of this grievance is being Sent to the Court I am also faxing a Copy to Christopher Cruz.

Marvin Woodward

signature of requester

4-16-08

date of request

RESPONSE:

Mr Woodward -

The letter was addressed to Sacramento and forwarded to Cornell Companies It arrived with tape on the envelope. No staff at Cornell opened or altered your mail.

Marie L Richard

Facility Director

4-16-08

date of response